1 2 3 4	William M. Audet (CA117456) AUDET & PARTNERS, LLP 221 Main Street Suite 1460 San Francisco, CA 94105 Telephone: (415) 568-2555 Facsimile: (415) 568-2556	
5	Attorneys for Plaintiffs, Dwayne Kitchen	
6	UNITED STATES DISTRICT COURT	
7	NORTHERN DISTRICT OF CALIFORNIA	
8	Note The Late of t	ior or origin out the
9		
10	DUDE, DEVENA AND CELEDREY) Case No. 3:06-cv-01349-CRB
11	IN RE: BEXTRA AND CELEBREX MARKETING SALES PRACTICES AND) MDL NO. 1699
12	PRODUCT LIABILITY LITIGATION) District Judge: Charles R. Breyer
13)
14	DWAYNE KITCHEN,) STIPULATION AND ORDER OF
15	Plaintiffs,) DISMISSAL WITH PREJUDICE)
16	vs.)
17	Pfizer Inc., et al. Defendants.)
18		_'
19	Come now the Plaintiff, DWAYNE KITCHEN, and Defendants, by and through the	
20	undersigned attorneys, pursuant to Federal Rule of Civil Procedure, Rule 41(a), and hereby	
21	stipulate to the dismissal of this action with prejudice with each side bearing its own attorneys'	
22	fees and costs.	
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1	DATED: November 11, 2009 AUDET & PARTNERS, LLP	
2		
3	By:William M. Audet	
4	William M. Audet Attorneys for Plaintiff,	
5		
6	DATED: November 11, 2009 BERTHOLD, TIANO & O'DELL	
7	BITTED. NOVEMBER 11, 2007 BERTHOLD, TIANO & OBELE	
8	1/1/1/24	
9	By: Robert Berthold	
10	Attorneys for Plaintiff,	
11		
12	DATED: Dec. 22, 2009 DLA PIPER LLP (US)	
13		
14	By: Michelle W. Sadowsky	
15	Attorneys for Defendants	
16		
17 18		
19	PURSUANT TO THE TERMS SET FORTH IN THE PARTIES' STIPULATION IT IS SO ORDERED.	
20		
21	Dated: "JAN - 4 2010	
22	Hon. Charles R. Breyer United States District Court	
23	/ /	
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STIPULATION AND ORDER OF DISMISSAL WITH PREJUDICE